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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 DERICK OWUSU,

10                   Plaintiff,

11                   v.  
12                   BANK OF AMERICA, N.A., et al.,

13                   Defendants.

14                   NO. C15-1606-JLR-JPD

15                   ORDER GRANTING IN PART AND  
16                   DENYING IN PART  
17                   DEFENDANTS' MOTION TO  
18                   DISMISS

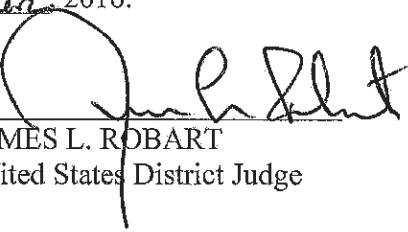
19                   The Court, having reviewed the Report and Recommendation of the Honorable James P.  
20                   Donohue, United States Magistrate Judge, and any objections or responses to that, and the  
21                   remaining record, finds and Orders as follows:

- 22                   1. The Court ADOPTS the Report and Recommendation.
- 23                   2. Defendants' motion to dismiss, Dkt. 34, is GRANTED in part and DENIED in part as  
24                   follows:  
25                   a. Plaintiff's § 1983 false arrest and imprisonment claim against Detective Lindquist  
26                   may proceed.  
27                   b. Plaintiff's § 1983 false arrest and imprisonment claims against Detectives Newell  
28                   and Brack are dismissed with leave to amend.

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30                   ORDER - 1

- 1                   c. The municipal liability claim against the City of Bellevue is dismissed with  
2                   prejudice and without leave to amend.  
3                   d. The state-law racial discrimination claim against Officer Richey is voluntarily  
4                   dismissed without prejudice.  
5                   3. Within **30 days** of the date this Order is signed, plaintiff may file a second amended  
6                   complaint that cures the deficiencies identified in the Report and Recommendation. If  
7                   plaintiff fails to do so, this action will proceed against only Detective Lindquist.  
8                   4. The Clerk is directed to send plaintiff the proper form so that he may file a second  
9                   amended complaint.  
10                  5. The Clerk also is directed to send a copy of this Order to the parties and to Judge  
11                  Donohue.  
12                  6. This matter is RE-REFERRED to Judge Donohue for further proceedings.

13                  DATED this 12<sup>th</sup> day of September, 2016.

14                    
15                  JAMES L. ROBART  
16                  United States District Judge